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NOTICE OF ALLOWANCE AND FEE(S) DUE

20529

7590

03/04/2010

THE NATH LAW GROUP 112 South West Street Alexandria, VA 22314 EXAMINER
RUIZ, ANGELICA
ART UNIT PAPER NUMBER

2158 DATE MAILED: 03/04/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573.482	03/24/2006	David Patterson	27309U	2569

TITLE OF INVENTION: COMPUTER AIDED DOCUMENT RETRIEVAL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	06/04/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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							(Depositor's name)
							(Signature)
							(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	2	ATTO	RNEY DOCKET NO.	CONFIRMATION NO.
10/573,482 TITLE OF INVENTION	03/24/2006 : COMPUTER AIDED !	DOCUMENT RETRIEV.	David Patterson AL			27309U	2569
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	E FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0		\$1055	06/04/2010
EXAM	INER	ART UNIT	CLASS-SUBCLASS]			
RUIZ, AN	IGELICA	2158	707-005000	_			
"Fee Address" ind PTO/SB/47; Rev 03-0 Number is required. 3. ASSIGNEE NAME A PLEASE NOTE: Unl	ondence address (or Cha 3/122) attached. ication (or "Fee Address 12 or more recent) attach ND RESIDENCE DATA ess an assignee is ident h in 37 CFR 3.11. Comp	nge of Correspondence "Indication form led. Use of a Customer A TO BE PRINTED ON Tiffied below, no assignee	2. For printing on the p (1) the names of up to or agents OR, alternatic (2) the name of a sing registered attorney or 2 registered patent attorney on the position of the patent of the patent of the position of the patent of	o 3 registered patent vely, le firm (having as a agent) and the name orneys or agents. If re- printed.	membes of uno nam	p to he is 3dentified below, the do	cument has been filed for
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**	s SMALL ENTITY statu	is. See 37 CFR 1.27.	☐ b. Applicant is no lon				
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/573,482 03/24/2006		David Patterson	27309U 2569		
20529 75	90 03/04/2010		EXAM	INER	
THE NATH LAV	W GROUP	RUIZ, ANGELICA			
112 South West Street Alexandria, VA 22314			ART UNIT PAPER NUMBER 2158		

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 44 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 44 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)				
	10/573,482	PATTERSON ET AL.				
Notice of Allowability	Examiner	Art Unit				
	ANGELICA RUIZ	2158				
The MAILING DATE of this communication appeal all claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R	(OR REMAINS) CLOSED or other appropriate completers. This application is	in this application. If not included munication will be mailed in due course. THIS				
1. This communication is responsive to <u>12/14/2009</u> .						
2. X The allowed claim(s) is/are 2-12, 14-17, an d19-21 (Renun	<u>nbered 1-18)</u> .					
 3. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents 	been received. been received in Applica	tion No				
International Bureau (PCT Rule 17.2(a)).						
* Certified copies not received:						
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		ile a reply complying with the requirements				
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give						
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.					
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached						
1) hereto or 2) to Paper No./Mail Date						
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date						
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t						
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.						
Attachment(s)						
1. Notice of References Cited (PTO-892)		Informal Patent Application				
2. Notice of Draftperson's Patent Drawing Review (PTO-948)		Summary (PTO-413), p./Mail Date				
3. Information Disclosure Statements (PTO/SB/08),		's Amendment/Comment				
Paper No./Mail Date4.	8. 🛛 Examiner	's Statement of Reasons for Allowance				
of Biological Material	9.					
/Angelica Ruiz/	/Mohammad	Ali/				
Examiner, Art Unit 2158		atent Examiner, Art Unit 2158				

Art Unit: 2158

DETAILED ACTION

1. This office action is in response to applicant's response to non final office action filed on April 30, 2009 and subsequent supplemental on December 14, 2009 amendment on in which claims 1-12, 14-17, and 19-21 are presented for further examination.

In response of Applicants amendments and remarks arguments with respect to the rejection of claims 1-12, 14-18 under Choi (US 2002/0042793 A1) in view of Deerwester et al (US 4,839,853) have been fully considered. After the proposed changes presented in the present Examiner's amendment, the rejection has been withdrawn.

EXAMINER'S AMENDMENT

- 2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
- 3. Authorization for this examiner's amendment was given in a telephone interview with Jiaxiao Zhang on February 26, 2010.

The application has been amended as follows:

In the claim:

See Attached Exhibit A.

Art Unit: 2158

Reason for Allowance

4. The following is an examiner's statement of reasons for allowance: The present invention relates to computer systems and particularly to replication of application checkpoint data. The closest prior art Choi (US 2002/0042793 A1) is directed to a method of order-ranking document clusters using entropy data and Bayesian selforganizing feature maps. Deerwester also is directed to Computer information retrieval using latent semantic structure. However, Choi and Deerwester either singularly or in combination, fail to anticipate or render obvious the recited features "A computerimplemented method of determining cluster attractors for use in clustering a plurality of documents, each document comprising at least one term, each term comprising one or more words, the method comprising: causing a computer to calculate, in respect of each term, a probability distribution that is indicative of in the instance where a document comprises said term and said one other term that co-occurs with said term in at least one of said documents, the frequency of occurrence of said one other term in the instance where a document comprises said term and said one other term, and in the instance where a document comprises said term and more than one other term that co-occurs with said term in at least one of said documents, the respective frequency of occurrence of each other term, that co-occurs with said term in at least one of said documents; causing a computer to calculate, in respect of each term, the entropy of the respective probability distribution; and causing the computer to select at least one of said probability distributions as a cluster attractor depending on the

Art Unit: 2158

respective entropy value, wherein the selected cluster attractor is a clustering focus for at least some of said documents, and wherein said probability distribution is calculated

as
$$p(y \mid z) = \frac{\sum_{x \in X(x)} tf(x, y)}{\sum_{x \in X(x), x \in Y} tf(x, t)}$$

where tf(x, y) is a term frequency of a term y in a document x and X (z) is a set of all documents of said plurality of documents that contain a term z and where t is a term index". These features in conjunction with all other limitations of the dependents and independent claims render claims 2-12, 14-17, 19-21 (Renumbered 1-18) allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELICA RUIZ whose telephone number is (571)270-3158. The examiner can normally be reached on 8:00 a.m. to 4:30 p.m., ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on (571) 272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2158

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angelica Ruiz/ Examiner, Art Unit 2158

/Mohammad Ali/ Supervisory Patent Examiner, Art Unit 2158

Art Unit: 2158

Exhibit A:

Listing of Claims:

Claim 1. (Canceled)

Claim 2. (Currently amended) A method as claimed in Claim 4 claim 20, wherein each probability distribution comprises, in respect of each co-occurring term, an indicator that is indicative of the total number of instances of the respective co-occurring term in all of the documents in which the respective co-occurring term co-occurs with the term in respect of which the probability distribution is calculated.

Claim 3. (Currently amended) A method as claimed in Glaim 4 claim 20, wherein each probability distribution comprises, in respect of each co-occurring term, an indicator comprising a conditional probability of the occurrence of the respective co-occurring term in a document given the appearance in said document of the term in respect of which the probability distribution is calculated.

Claim 4. (Previously presented) A method as claimed in Claim 2, wherein each indicator is normalized with respect to the total number of terms in the document, or each document in which the term in respect of which the probability distribution is calculated appears.

Page 7

Claim 5. (Currently amended) A method as claimed in Giaim 4 claim 20, comprising assigning each term to one of a plurality of subsets of terms depending on the frequency of occurrence of the term; and selecting, as a cluster attractor, the respective probability distribution of one or more terms from each subset of terms.

Claim 6. (Original)

A method as claimed in Claim 5, wherein each term is assigned to a subset depending on the number documents of the corpus in which the respective term appears.

Claim 7. (Previously presented) A method as claimed in Claim 5, wherein an entropy threshold is assigned to each subset, the method comprising selecting, as a cluster attractor, the respective probability distribution of one or more terms from each subset having an entropy that satisfies the respective entropy threshold.

Claim 8. (Original) A method as claimed in Claim 7, comprising selecting, as a cluster attractor, the respective probability distribution of one or more terms from each subset having an entropy that is less than or equal to the respective entropy threshold.

Claim 9. (Previously presented) A method as claimed in Claim 5, wherein each subset is associated with a frequency range and wherein the frequency ranges for respective subsets are disjoint.

Art Unit: 2158

Claim 10. (Previously presented) A method as claimed in Claim 5, wherein each subset is associated with a frequency range, the size of each successive frequency range being equal to a constant multiplied by the size of the preceding frequency range in order of increasing frequency.

Claim 11. (Previously presented) A method as claimed in Claim 7, wherein the respective entropy threshold increases for successive subsets in order of increasing frequency.

Claim 12. (Original) A method as claimed in Claim 11, wherein the respective entropy threshold for successive subsets increases linearly.

Claim 13. (Canceled)

Claim 14. (Currently smended)

An apparatus for determining cluster attractors for a plurality of documents, each document comprising at least one term, each term comprising one or more words, the apparatus comprising:

means for calculating, in respect of each term, a probability distribution indicative of
in the instance where a document comprises said term and one other term that cooccurs with said term in at least one of said documents, the frequency of occurrence of said
one other term, and

in the instance where a document comprises said term and more than one other term that co-occurs with said term in at least one of said documents, the respective frequency of

Art Unit: 2158

occurence of each other term;

means for calculating, in respect of each term, the entropy of the respective probability distribution; and

means for selecting at least one of said probability distributions as a cluster attractor depending on the respective entropy value,

wherein the selected cluster attractor is a clustering focus for at least some of said documents, and wherein said probability distribution is calculated as

$$p(y \mid z) = \frac{\sum_{x \in x(y)} y(x, y)}{\sum_{x \in x(y), z} y(x, i)}$$

Where tf(x, y) is a term frequency of a term y in a document x and X(z) is a set of all

documents of said plurality of documents that contain a term z and where t is a term index.

Claim 15. (Currently amended)

A computer implemented method of clustering a plurality of documents; each document comprising at least one term; each term comprising one or more words; the method comprising:

causing a computer to calculate, in respect of each term, a probability distribution indicative of

in the instance where a document comprises said term and one other term that so occurs with said term in at least one of said documents, the frequency of occurrence of said one other term, and

in the instance where a document comprises said term and more than one other term

Art Unit: 2158

that an excurs with and term in a least one of said documents, the respective frequency of occurrence of each other term;

The method as claimed in claim 20, wherein the method further comprises:

causing a computer to calculate, in respect of each term, the entropy of the respective probability distribution;

causing the computer to select at least one of said probability distributions as a cluster attractor depending on the respective entropy value;

causing the computer to compare each document with each cluster attractor; and causing the computer to assign each document to one or more cluster attractors depending on the similarity between the document and the cluster attractors.

wherein assigning each document to one or more cluster attractors creates a plurality of document clusters, each cluster comprising a respective plurality of documents.

Claim 16. (Original) A method as claimed in Claim 15, comprising: calculating, in respect of each document, a probability distribution indicative of the frequency of occurrence of each term in the document; comparing the respective probability distribution of each document with each probability distribution selected as a cluster attractor; and assigning each document to at least one cluster depending on the similarity between the compared probability distributions.

Claim 17. (Previously presented) A method as claimed in Claim 16, comprising organizing the documents within each cluster by: assigning a respective weight to each document, the value of the

weight depending on the similarity between the probability distribution of the document and the probability distribution of the cluster attractor; comparing the respective probability distribution of each other document in the cluster with the probability distribution of each other document in the cluster; assigning a respective weight to each pair of compared documents, the value of the weight depending on the similarity between the compared respective probability distributions of each document of the pair; calculating a minimum spanning tree for the cluster based on the respective calculated weights.

Claim 18. (Canceled)

Claim 19. (Currently amended)

An apparatus for elucturing a plurality of documents, each document comprising at least one term, each term comprising one or more words, the apparatus comprising:

means for calculating, in respect of each term, a probability distribution indicative of in the instance where a document comprises said term and one other term that co occurs with said term in at lasst one of said documents, the frequency of occurrence of said one other term; and

in the instance where a document comprises said term and more than one other term that co-occurs with said term in at least one of said documents, the respective frequency of occurrence of each other term:

means for calculating in respect of each term; the entropy of the respective probability distribution;

Art Unit: 2158

means for selecting at least one of said probability distributions as a ciuster attractor depending on the respective entropy value;

The apparatus as claimed in claim 14, wherein the apparatus further comprises:

means for comparing each document with each cluster attractor; and

means for assigning each document to one or more cluster attractors depending on the

similarity between the document and the cluster attractors,

wherein assigning each document to one or more cluster attractors creates a plurality of document clusters, each cluster comprising a respective plurality of documents.

20. (Contently smeaded) A computer-implemented method of determining cluster attractors for use in clustering a plurality of documents, each document comprising at least one term, each term comprising one or more words, the method comprising:

causing a computer to calculate, in respect of each term, a probability distribution that is indicative of

in the instance where a document comprises said term and said one other term that cooccurs with said term in at least one of said documents, the frequency of occurrence of said
one other term in the instance where a document comprises said term and said one other
term, and

in the instance where a document comprises said term and more than one other term that co-occurs with said term in at least one of said documents, the respective frequency of

occurrence of each other term, that co-occurs with said term in at least one of said documents;

cousing a computer to calculate, in respect of each term, the entropy of the respective probability distribution; and

causing the computer to select at least one of said probability distributions as a cluster attractor depending on the respective entropy value,

wherein the selected cluster attractor is a clustering focus for at least some of said documents, and wherein said probability distribution is calculated as

$$p(y \mid z) = \frac{\sum_{x \in \mathcal{X}(x)} f(x, y)}{\sum_{x \in \mathcal{X}(x)} f(x, t)}$$

where f(x, y) is a term frequency of a term y in a document x and A(x) is a set of all documents of said plurality of documents that contain a term x and where t is a term index.

Claim 21. (Previously presented) A method as claimed in Claim 20, wherein said entropy is calculated as:

$$H(Y \mid z) \approx -\sum_{y} p(y \mid z) \log p(y \mid z)$$

/Angelica Ruiz/ Examiner, Art Unit 2158